

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

NATHAN & SPRAGUE, LTD.,

Plaintiff,

vs.

TRAVELERS CASUALTY INSURANCE  
COMPANY OF AMERICA,

Defendant.

8:23CV253

TRIAL SETTING ORDER

This matter is before the Court following a telephonic hearing with counsel for the parties on June 25, 2025, before the undersigned magistrate judge on the Joint Motion to Amend Second Amended Case Progression Order and Request for Trial Date ([Filing No. 29](#)). In accordance with the matters discussed during the hearing and for good cause shown,

**IT IS ORDERED** that the Joint Motion to Amend Second Amended Case Progression Order and Request for Trial Date ([Filing No. 29](#)) is granted and case progression deadlines are extended as follows:

- 1) The planning conference set for August 27, 2025, is cancelled.
- 2) The deadline for completing written discovery under Rules 33, 34, 36, and 45 of the Federal Rules of Civil Procedure is extended to **July 18, 2025**. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by **August 1, 2025**.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge on or before the motion to compel deadline to set a conference to discuss the parties' dispute, and after being granted leave to do so by the Court.

- 3) The deadlines for identifying expert witnesses and completing expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are extended:

For the plaintiff:	<b>August 8, 2025</b>
For the defendant:	<b>October 10, 2025</b>

- 4) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is extended to **December 17, 2025**.
- 5) A status conference to discuss case progression and the parties' interest in settlement will be held with the undersigned magistrate judge on **December 17, 2025, at 11:30 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.

- 6) The deadline for filing motions to dismiss and motions for summary judgment is extended to **January 20, 2026**
- 7) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is extended to **February 16, 2026**.
- 8) The Final Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **July 7, 2026**, at **10:00 a.m.**, and will be conducted in chambers. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to [nelson@ned.uscourts.gov](mailto:nelson@ned.uscourts.gov) in Word format, by **3:00 p.m. on July 2, 2026**.
- 9) The jury trial of this case is set to commence before Brian C. Buescher, United States District Judge, in Courtroom 5, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at **9:00 a.m.** on **August 11, 2026**, or as soon thereafter as the case may be called, for a duration of **four (4)** trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 10) Motions in limine and motions seeking pretrial evidentiary hearings regarding the admissibility of evidence shall be filed no later than **twenty-eight (28)** days before trial.
- 11) The parties are ordered to comply with **Judge Buescher's** Civil Jury Trial Practices posted at <https://www.ned.uscourts.gov/attorney/judges-information>.

Dated this 25<sup>th</sup> day of June, 2025.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge